

Attorney Docket No. 9052-88

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Findlay  
Serial No.: 09/913,522  
Filed: November 8, 2001  
For: *MODIFIED CALYCINS*

Confirmation No. 9501  
Examiner: Deborah D. Williams  
Group Art Unit: 1614

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE UNDER 37 CFR §1.825(d) AND STATEMENT IN SUPPORT OF  
FILING A SUBSTITUTE SEQUENCE LISTING UNDER 37 CFR § 1.821(f)**

Sir:

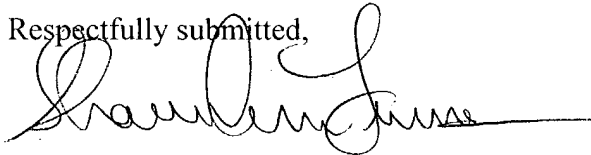
In response to the Notification of Defective Response ("Notification") dated June 22, 2004, attached are substitute paper and computer readable copies of the sequence listing for the above-identified application. The undersigned wishes to note that the Notification indicated that a CRF Diskette Problem Report ("CRFDPR") was attached. However, the CRFDPR was not received by the undersigned with the Notification. Telephone calls were placed to U.S. Patent and Trademark Office ("USPTO") employee Deborah D. Williams on June 28, July 12 and July 21, 2004, requesting a copy of the CRFDPR. However, as of the date of this submission, a copy of the CRFDPR has not been received. In view of the nonextendible deadline of July 22, 2004, the items being submitted herewith are identical to those items previously submitted on October 24, 2002. Should these documents not meet USPTO requirements, the undersigned respectfully requests the issuance of another Notification from the USPTO.

I hereby state that the content of the paper and computer readable copies of the substitute sequence listing, submitted in accordance with 37 CFR §1.821(c) and (e), are the same. I also hereby state as required by 37 CFR § 1.821(h) that the paper and computer readable copies contain no new matter, nor do they go beyond the disclosure of the application as filed.

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It is not believed that any fee(s) are required for submission of this paper.  
However, any fees believed to be due in connection with this paper may be charged to  
our Deposit Account No. 50-0220.

Respectfully submitted,



Shawna Cannon Lemon  
Registration No. 53,888

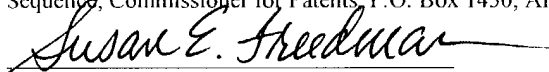
**Customer Number 20792**

Myers Bigel Sibley & Sajovec, P.A.  
P.O. Box 37428, Raleigh, NC 27627  
919-854-1400  
919-854-1401 (Fax)

**CERTIFICATE OF EXPRESS MAILING**

Express Mail Label No. EV 472534725 US  
Date of Deposit: July 21, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Susan E. Freedman

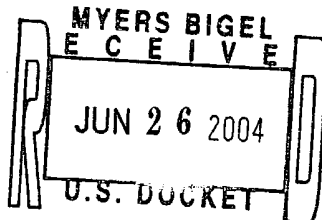
Date of Signature: July 21, 2004



UNITED STATES PATENT AND TRADEMARK OFFICE

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 United States Patent and Trademark Office  
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**COPY**

U.S. APPLICATION NUMBER NO. 09/913,522	FIRST NAMED APPLICANT John Findlay	ATTY. DOCKET NO. 9052.88
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 20792  
 MYERS BIGEL SIBLEY & SAJOVEC  
 PO BOX 37428  
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INTERNATIONAL APPLICATION NO.

PCT/GB00/00517

LA. FILING DATE

02/17/2000

PRIORITY DATE

02/18/1999

CONFIRMATION NO. 9501

371 FORMALITIES LETTER



\*OC000000013021314\*

Date Mailed: 06/22/2004

**JUL 27 2004****NOTIFICATION OF DEFECTIVE RESPONSE****TECH CENTER 1600/2900**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 08/13/2001
- Copy of the International Search Report filed on 08/13/2001
- Copy of IPE Report filed on 08/13/2001
- Preliminary Amendments filed on 08/13/2001
- Information Disclosure Statements filed on 08/13/2001
- Biochemical Sequence Diskette filed on 10/28/2002
- Oath or Declaration filed on 11/08/2001
- Biochemical Sequence Listing filed on 10/28/2002
- Small Entity Statement filed on 08/13/2001
- Copy of references cited in ISR filed on 08/13/2001
- U.S. Basic National Fees filed on 08/13/2001

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Applicant's response filed 10/28/2002 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 02/27/2002 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

The following items **MUST** be furnished within the period set forth below: 09-25-04 10:13 AM

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
  - APPLICANT MUST PROVIDE:

- An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 305-3744

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/913,522	PCT/GB00/00517	9052.88

FORM PCT/DO/EO/916 (371 Formalities Notice)